

EXHIBIT

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DATE 2/19/15

HB 543

My name is Mike Nugent and I am the President of the Missoula Organization of Realtors, as well as a committee member of the Montana Association of Realtors Government Affairs committee.

I am writing you today in regards to your proposed bill HB 543 which is scheduled for hearing this afternoon. This is definitely an area of law that could use a bit more clarity. We support your efforts in this matter and would like to see the bill taken a step further.

The issue is that the definition or interpretation of a "sleeping room" is vague and open to interpretation. We recognize that the DEQ requirements to size a septic are never going to match the building code requirements because rooms that don't have full egress windows, for example, are often used as sleeping rooms in unfinished basements. Those bonus rooms are easy enough to recognize, and reasonable people don't debate the importance of including those in the sizing of a system. (I should note that some of our members don't feel they should count, I am not advocating for that stance.)

I like seeing the definition of the unfinished basement, that helps. What we run in to is the other rooms. Loft space that is open air, interior rooms with no windows, and so on, should not be considered sleeping rooms when sizing a septic.

Perhaps one more sentence on paragraph (4) at the end of the document. Something like "A room does not have to meet the building code definition of a bedroom to be considered a sleeping room, however it must have other readily apparent features of a bedroom such as a closet and a window to the outside. Lofts and large common areas shall not be considered sleeping rooms unless they are clearly designed to be used in such a manner."

Thank you for your consideration of this matter, and if you wish to discuss this further please let me know.

Mike Nugent

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